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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	File No.: EB-06-PO-057
Donald Merwin	)	
	)	Citation No.: C20063292002
Vancouver, Washington	)	

**CITATION**

**Released: May 18, 2006**

By the Resident Agent, Portland Office, Western Region, Enforcement Bureau:

1. This is an Official Citation issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended (“Act”),<sup>1</sup> to Donald Merwin for violation of Section 15.5(b) of the Commission’s rules (“Rules”).<sup>2</sup>
2. Investigation by the FCC’s Portland Office revealed that on May 9, 2006, a Part 15 device<sup>3</sup> at the residence of Mr. Merwin in Vancouver, Washington was causing interference to amateur radio frequency 444.875 MHz.
3. Section 15.5(b) of the Rules states “[o]peration of an intentional, unintentional, or incidental radiator is subject to the conditions that no harmful interference is caused . . . .”<sup>4</sup>
4. On May 8, 2006, the FCC’s Portland Office received a complaint of interference to amateur radio frequency 444.875 MHz. On May 9, 2006, an agent from the Portland Office investigated the allegation and located the interfering signal emanating from a motor home owned by Mr. Merwin. Further investigation revealed that the source of the interfering signal was a Winegard amplified television antenna, installed on the roof of the referenced motor home.
5. These Winegard antenna amplifiers have been the source of radio frequency interference in a number of cases. As a result of this interference, Winegard has agreed to replace the defective units at no charge (see Winegard Internet site [www.winegard.com](http://www.winegard.com)). Mr. Merwin will need to contact Winegard at (319) 754-0600 or 800-856-4350 in Burlington, Iowa to make arrangements for them to replace the defective unit. Due to the continuing radio communications interference caused by the Winegard amplified television antennas, we request that Mr. Merwin return the defective Winegard antenna to the FCC at the address indicated below for testing after it is replaced.
6. Mr. Merwin may request an interview at the closest FCC Office, which is Federal Communications Commission, 11410 NE 122<sup>nd</sup> Way, Suite 312, Kirkland, Washington 98034.<sup>5</sup>

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<sup>1</sup>47 U.S.C. § 503(b)(5).

<sup>2</sup>47 C.F.R. §§ 15.5(b).

<sup>3</sup>47 C.F.R. § 15.1 *et seq.*

<sup>4</sup>47 C.F.R. § 15.5(b).

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You may contact this office by telephone, (360) 696-6707, to schedule this interview, which must take place within 14 days of this Citation. Mr. Merwin may also submit a written statement to the above address within 14 days of the date of this Citation. Any written statements should specify what actions have been taken to correct the violations outlined above. Please reference file number EB-06-PO-057 when corresponding with the Commission.

7. Any statement or information provided by you may be used by the Commission to determine if further enforcement action is required.<sup>6</sup> Any knowingly or willfully false statement made in reply to this Citation is punishable by fine or imprisonment.<sup>7</sup>

8. **IT IS ORDERED** that copies of this Citation shall be sent by First Class U.S. Mail and Certified Mail, Return Receipt Requested to Mr. Donald Merwin at his address of record.

## FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen  
Resident Agent, Portland Office  
Western Region  
Enforcement Bureau

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<sup>5</sup>47 U.S.C. § 503(b)(5).

<sup>6</sup>See Privacy Act of 1974, 5 U.S.C. § 552a(e)(3).

<sup>7</sup>See 18 U.S.C. § 1001 *et seq.*